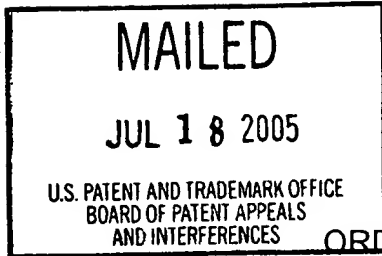


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HENRICUS ANTONIUS WILHELMUS VAN GESTEL, and
NATHALIE DOROTHEE PIETERNEL LEURS



Application No. 09/738,647

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on July 8, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On, March 10, 2005, an Examiner's Answer was mailed. In reference to Office Actions by the United States Patent and Trademark Office (USPTO) the Manual of Patent Examining Procedure (MPEP) § 707.08 (8th ed., Rev. 2, May 2004) states in part:

After the action is typed, the examiner who prepared the action reviews it for correctness. The surname or initials of the examiner who prepared the action and the date on which the action was typed should appear below the action. If this examiner does not have the authority to sign the action,

Application No. 09/738,647

he or she should initial above the typed name or initials, and forward the action to the authorized signatory examiner for signing

A review of the Examiner's Answer reveals that the examiner who prepared the Answer has neither signed nor initialed the Answer.

Accordingly, it is

ORDERED that the application is returned to the examiner to initial or sign above the typed name as required by (MPEP) § 707.08, have a copy of the appropriate signature page scanned into the electronic file, notification to appellants of the action taken in this regard, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



CRAIG FEINBERG
Program and Resource Administrator
(571) 272-9797

cc: PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

CF/vsh